

ATTORNEY GENERAL'S CRIMINAL LEGISLATIVE PROPOSALS

CRIMINAL

1. Drug Treatment - Increase funding for drug treatment in order to reduce crime rate in Iowa. Proposed increases:

- Community Based Drug Treatment (\$7 million)
- After School Programs (\$4 million)
- Drug Courts (\$3 million)
- DOC Prison Study (\$125,000)

2. Domestic Violence Offenders and Possession of Firearms

This legislation will prohibit persons from possessing a firearm who: 1) have been convicted of a domestic abuse assault; or 2) are currently the subject of a pending domestic abuse no contact order. Ultimately, it promotes public safety and prevents death and injury in domestic cases.

3. Strangulation

This proposed legislation will amend the Domestic Abuse Assault Statute - Iowa Code section 708.4 - to create a class "C" felony for strangling a victim. This bill will strengthen domestic violence protection for victims and take perpetrators out of the home before the situation can escalate to murder.

4. Sexually Violent Predators – State's Right to Appeal

This bill will amend Iowa Code chapter 229A (Commitment of Sexually Violent Predators) to make it clear that the state has the same right of appeal from a dismissal of its Sexually Violent Predator Petition as the respondent would have to appeal a District Court's decision to approve a civil commitment. It would prevent predators from being on the street because of an inappropriate court dismissal.

5. Disposition of Seized Property

The purpose of this bill will be to amend Iowa Code chapter 809 to ensure all seized property, including abandoned or "disclaimed" property, is subject to proper oversight. The desired results are to close the existing loophole in current language, to provide a consistent process for law enforcement, and to protect the existing Forfeiture Reform Act.

6. Postconviction Relief

This bill proposes two changes to Iowa Code chapter 822 (Postconviction Relief). The first change would amend Iowa Code section 822.2 to apply postconviction relief only to indictable offenses. The second change would amend Iowa Code section 822.3 to bring the statute of limitations for filing postconviction relief applications more in line with the Federal statute.

7. Definition of Sexual Abuse

This bill proposes to amend the definition of sexual abuse - Iowa Code section 709.1(1) - to include situations where individuals are being deceptive about the intent of a sexual act.

8. Confidentiality of Crime Victim Impact Statements

This bill would ensure that a filed victim impact statement is considered confidential under Iowa Code section 901.4 and is kept sealed until opened by a court order.

CRIME VICTIMS ASSISTANCE

1. Increasing Crime Victim Benefits

This proposal would increase crime victim benefits that have not been increased for many years (such as medical expenses and lost wages) payable under the Crime Victim Compensation Fund. Costs approximate \$600,000 with the Federal Government reimbursing 2/3 of the costs.

2. Funding Victim Notification System

The AG's office is developing a statewide crime victim notification system with a federal grant. This proposal would authorize use of monies in the Crime Victim Compensation Fund to maintain and expand the system.